

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

REGULAR MEETING MINUTES

June 10, 2004

I. CALL TO ORDER

Chair Jim Denton convened the meeting at 7:15 p.m.

II. ROLL CALL

A. J. Culver

Ethel Hanis

Claudia Hirschey

Michael Marchand

Judy Tessandore

III MINUTES

Regular Meeting: Chair Denton presented the minutes of the Regular Meeting of May 13, 2004 for review and action by the Board members.

Ethel noted that the minutes included her name as a participant although she was not able to attend the meeting.

Action: A. J. Culver moved and Judy Tessandore seconded the motion to adopt the corrected minutes of the Regular Meeting of May 13, 2004. The Board voted (5 in favor) to approve this record. Ethel Hanis abstained as she did not attend this meeting.

IV ADMINISTRATION

A. CHAIR'S REPORT

General Business

Chair Denton reported that the Board has been working on several projects, including: (1) coordinating programs with King County Executive/Council 2004 Work Program as it relates to the Boundary Review Board; (2) coordinating efforts with the State Association to develop and implement a program for work with the State Legislature Interim Session and Legislature 2005; (3) review and determination of the role of the Boundary Review Board; (4) Year 2005 Budget Proposal; and (5) pre-development review for future Notices of Intention. Committee members and staff will report on each of these activities.

Review and Determination of the Role of the Boundary Review Board:

Chair Denton stated that, at the May 2004 Regular Meeting, the Board made a decision to devote time at the June 2004 Regular Meeting to begin discussion of the current responsibilities of the Boundary Review Board and to consider potential future scenarios for the Board's structure and function.

Chair Denton requested direction from Special Assistant Attorney General Robert Kaufman in order to determine the appropriateness of conducting this discussion in a public meeting owing to the fact that legal issues, personnel matters, and fiscal issues have been identified with respect to the future function and structure of the Board.

Mr. Kaufman advised the Board that the discussion of future Board function and structure should be addressed in an Executive Session.

Action: Ethel Hanis moved and A. J. Culver seconded the motion to enter into an Executive Session from 7:30 p.m. to 7:45 p.m. The motion was approved by a unanimous vote.

The Board returned to the Regular Meeting at 7:45 p.m.

For the record, it was reported that in the course of the Executive Session, Board members determined that the Boundary Review Board, based upon its current structure and function,

continues to provide a timely, necessary, and useful service pursuant to RCW 36.93 and to the King County mandate for Regional Services. Thus, no action by the Board is necessary to address the structure or function of this agency.

File No. 2168 - City of Redmond Rose Hill – Invoking of Jurisdiction:

Chair Denton and Mrs. Blauman reported that the King County Executive has invoked jurisdiction seeking a public hearing for the purpose of requesting that the Boundary Review Board expand the proposed City of Redmond Rose Hill Annexation from 76 acres to include the entire 184 acre Rose Hills PAA.

The Board is required to take action with respect to the request for the public hearing. Under RCW 36.93, the Board must undertake the hearing process (and related administrative tasks), conduct deliberations, and complete decision making within 120 days of the date of the request for invoking jurisdiction. The request for hearing was provided to the Board on June 4, 2004. Therefore, the Board would need to complete its duties by October 2, 2004.

Mrs. Blauman distributed a tentative schedule for administrative tasks (e.g., public notice, legal notices), hearing dates, and decision making procedures for review by the Board. The first hearing(s) for File No. 2168 must be confined only to a review of the proposed annexation. If the Board wishes to consider expansion of the annexation area following the first hearing(s), then the Board must conduct a second set of hearings. A separate public notice procedure is required to notify community members potentially affected by incorporation of the entire Rose Hills Potential Annexation Area.

At the request of the Board members, a tour of the site will be conducted prior to the hearing (4:00 p.m. on July 15.)

Action Ethel Hanis moved and Judy Tessandore seconded a motion that the Board undertake a public hearing for File No. 2168 City of Redmond Rose Hills Annexation in response to the invoking of jurisdiction by the Office of the King County Executive. The Board called for the staff to undertake administrative procedures preparatory to a public hearing and to schedule public hearing dates on Thursday July 15 (with a second hearing scheduled for July 19 if a continuation of the public review process is required.) The motion was approved by unanimous vote.

B. COMMITTEE REPORTS

Budget Committee: A.J. Culver and Lenora Blauman reported that the Preliminary Draft of the Year 2005 Budget Proposal is now completed. This document was transmitted to Budget Committee members on June 10, 2004. Mrs. Blauman reported that she would be interested in receiving any comments on the budget documents. Following Committee review, the document will be finalized and submitted to King County. The Budget Proposal is due to King County in early July.

Action A. J. Culver moved and Ethel Hanis seconded a motion that the Board accept the Preliminary Budget Proposal in principle – with comments to be provided to Lenora Blauman by no later than June 20. Mrs. Blauman is authorized to incorporate comments and to finalize the Budget Proposal for transmission to the King County Office of Budget by the due date of July 8, 2004.

Legislative Committee: Lenora Blauman provided a report on the work of the Board's Legislative Committee with the State Association's Legislative Team.

The Association has already signaled plans to monitor House and Senate sessions dedicated to review of annexation process and planning for modification of laws related to annexation.

During the Legislature's Interim Session, the Association will be represented by Michael Ryherd, a lobbyist who works for the American Planning Association and for several local jurisdictions. Mr. Ryherd will be addressing the following [issues of interest to the State](#)

Association of Boundary Review Boards:

- City annexation process
- Urban Growth Boundaries
- GMA limited to UGA-type issues
- Special Districts – Water, Sewer, Fire, Irrigation, etc.
- Boundary Change Processes - annexations, incorporations, mergers, formations, assumptions, etc.

Mr. Ryherd will also be serving as liaison between the Association and CTED for the upcoming study of cities, pursuant to the 2004 Omnibus Budget Bill. CTED officials are continuing to develop a plan for design and implementation of the Study Bill. Through Mr. Ryherd, the Association will be able to access information and may have an opportunity to share ideas with the study planning team. The Association will be kept informed on the annexation studies being conducted by CTED and the legislature and then, during the session, the drafting and progression of any resulting legislation.

For the coming 2005 Legislative Session, our Association plans to employ a qualified legislative consultant to aid in providing formal communications to -- and an informal information network with -- the Legislature. The Association is currently evaluating candidates for this position.

C. EXECUTIVE SECRETARY'S REPORT

Fairwood Incorporation Inquiry: Mrs. Blauman reported that a community group representing the Fairwood Area (east of Renton) has expressed interest in incorporation as a new city.

The King County Executive's Office and King County Council member Steve Hammond (who represents a portion of the Fairwood Area) have begun to work with the citizens' group area to explore opportunities and challenges for incorporation.

At the present time, the entire Fairwood Area is within the City of Renton's Potential Annexation Area. The citizens' group prefers to incorporate only the eastern most portion of the Potential Annexation Area, with an intention to include some additional portion of the Fairwood Area in a future annexation plan. The western-most portion of the Potential Annexation Area would remain available for annexation by Renton. This plan reportedly reflects citizen interests.

King County is reportedly willing to support an exploration of incorporation but would prefer that a new city include the entire Fairwood Potential Annexation Area.

Boundary Review Board staff and King County Executive Office staff have met with Councilmember Hammond to provide information on incorporation processes established by RCW 36.93 and the King County Comprehensive Plan.

In the immediate future, Mr. Hammond will be discussing this matter with Councilmember McKenna and Councilmember Pelz, who also represent portions of the Fairwood Area.

If the Citizens' Group then decides to pursue a further study of incorporation, that group would seek funding from the King County Council for a preliminary incorporation study. Boundary Review Board staff representatives would also be working with the group to ensure that all state laws relating to incorporation are addressed appropriately.

If the Fairwood Citizens' Group then decides to seek incorporation, a formal NOI would come to the Board. The Board would then be responsible for providing community review meetings, for conducting more extensive studies, for providing technical and legal analyses, and for formal action. An incorporation process typically takes approximately two years from the initial community investigation through completion of Board review and a formal election by voters in the incorporation area.

King County Annexation Initiative: Mrs. Blauman reported that the Boundary Review Board staff is continuing to work with the Office of the Executive to meet with community groups concerning future annexations.

The Board may also have an opportunity to meet with additional formal groups and citizens' groups in the coming months to provide information about annexation procedures. Specific Annexation Initiative activities are expected to continue through 2005.

Question was raised as to whether the Board could appropriately and effectively support the King County Annexation Initiative (e.g., encourage annexations of substantial unincorporated urban areas) while maintaining an independent role as a quasi-judicial review body. Board members offered the following comments:

- The Board would be in jeopardy of failing to maintain its independence – in fact or by perception – if this agency were to participate in activities to encourage annexation or incorporation
- Citizens must generate incorporation and annexation proposals. Citizens are often reluctant to accept changes in governance until there is a clear and immediate benefit for such a transition.
- Cities prefer to annex lands whose citizens are actively seeking affiliation with those communities. Cities prefer to annex lands that can be readily provided with public services and facilities (e.g., infrastructure). Cities are reluctant to annex lands when the cost of governance substantially exceeds the financial gain – for a typical annexation, the costs slightly exceed the revenues.
- The Board will best serve the citizens, local jurisdictions, and King County by continuing to provide only procedural information and guidance for annexations, incorporations and other activities.

D. CORRESPONDENCE

Correspondence was reviewed briefly. No questions or issues were raised with respect to the substance of the correspondence.

V. NEW BUSINESS

A. NOTICES OF INTENTION

File No. 2169 - Soos Creek Sewer & Water District P-363-S

Mrs. Blauman briefly summarized the application from the Soos Creek Water & Sewer District to annex 11 acres of vacant land in the City of Maple Valley that is slated for future residential development.

The Board raised no substantive questions concerning the application.

B. PENDING FILES

Auburn	Covington
Kent	Ronald Sewer District
Woodinville	Kirkland
Federal Way	Redmond
Renton (5 files)	Snoqualmie
Tukwila	

VI. ADJOURNMENT

Action: Judy Tessandore moved and Michael Marchand seconded a motion to adjourn the Boundary Review Board Regular Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:15 p.m.